

OFFICE OF DAKOTA COUNTY ATTORNEY
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NEWS RELEASE

**2004 ADULT FELONY CRIMINAL PROSECUTIONS
IN DAKOTA COUNTY**

OVERVIEW

Dakota County Attorney James Backstrom has released statistics for 2004 involving **adult felony criminal prosecutions** handled by his Office. These statistics do not reflect the total number of crimes occurring, but reflect the number of felony charges filed against individuals within Dakota County in 2004. The County Attorney is responsible for the prosecution of all adult felonies that occur in the county. According to Backstrom:

- The number of **adults chargedⁱ** with felony offenses in Dakota County decreased by 3% for the first time in seven years (**1,866** adults were charged with felony offenses in 2004, compared to 1,927 in 2003).
- The total number of **felony offenses chargedⁱⁱ** increased from 2,630 in 2003 to **2,701** in 2004 (an approximate 2.5% increase).

2003-2004 INCREASE/DECREASE IN ADULTS CHARGED WITH FELONIES (BY CITY)

Cities which showed an **increase** in the number of adults charged were:

- ↑ Apple Valley (149 to 159)
- ↑ Burnsville (288 to 302)
- ↑ Dakota County Sheriff (191 to 196)
- ↑ Lakeville (157 to 173)
- ↑ South St. Paul (157 to 161)

Jurisdictions which showed a **decrease** in the number of adults charged were:

- ↓ Eagan (309 to 274)
- ↓ Farmington (66 to 57)
- ↓ Inver Grove Heights (191 to 158)
- ↓ Mendota Heights (38 to 30)
- ↓ West St. Paul (155 to 133)

Jurisdictions which **remained** virtually the same in the number of adults charged were:

Hastings (104 to 103)
Rosemount (56 to 54)

Criminal Division
Scott A. Hersey, Head

Victim/Witness Coordinator
Patricia Ronken

Juvenile and Protective Services Division
Donald E. Bruce, Head

Office Manager
Norma J. Zabel

Civil Division
Jay R. Stassen, Head

Child Support Enforcement Division
Sandra M. Torgerson, Head

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FELONY PROPERTY CRIMES

Backstrom said that felony property chargesⁱⁱⁱ rose slightly from 1,074 in 2003 to **1,101** in 2004, an increase of 2.5%. In this category, welfare fraud charges jumped the most, rising almost 87% from 83 charges in 2003 to **155** in 2004. Backstrom noted that special units exist in his Office, the Sheriff's Department and the Economic Assistance Department to root out as much welfare-related fraud as possible. *"It is always disturbing to see unqualified persons access welfare-related benefits intended for those in need," Backstrom noted.* Another property offense rising significantly in 2004 was forgery, increasing 20% from 187 charges in 2003 to **226** charges in 2004. Theft-related charges, however, dropped significantly, decreasing almost 20%, from 442 charges in 2003 to **369** charges in 2004.

FELONY DRUG CHARGES SHOW CONTINUING PROBLEM

Drug offenses continue to represent the largest category of cases charged by the Dakota County Attorney's Office. Total drug charges continue to account for over 30% of the total number of felony charges filed by the Dakota County Attorney's Office. The number of drug charges decreased slightly from 848 in 2003 to **824** in 2004, a decrease of 24 charges after eight straight years of steady increase. 626 defendants were charged with felony drug crimes in Dakota County in 2004. (See the attached chart for drug trends in the past ten years). *Backstrom commented: "Drug prosecutions in our community over the last decade are a sad reminder that Dakota County is not immune from the widespread illegal drug use problem we have in our nation."* If you include all of the property crimes committed to finance illegal drug habits and the crimes of violence associated with the illegal drug trade, over 50% of all felony prosecutions in Dakota County are related to the sale or use of illegal drugs."

Backstrom attributed the large number of drug prosecutions in Dakota County to two factors - the coordinated efforts of local law enforcement agencies and the increase in the amount and variety of drugs on the street. The Dakota County Drug Task Force, which consists of officers from the Dakota County Sheriff's Department and police departments in the cities of Apple Valley, Burnsville, Eagan, Farmington, Hastings, Inver Grove Heights, Lakeville, Mendota Heights, Rosemount, South St. Paul, West St. Paul and Savage, has been extremely effective in identifying and investigating illegal drug activity. *Backstrom stated: "Coordinated law enforcement efforts are necessary to combat the use of traditional drugs such as marijuana and cocaine and the dramatic rise in the manufacture and use of methamphetamine."* Backstrom praised the efforts of the Dakota County Drug Task Force which continued its outstanding work this past year. Backstrom stated that it is a felony under Minnesota law to possess any amount of cocaine, methamphetamine, heroin, Ecstasy, GHB and similarly classified controlled substances. It is also a felony to possess more than 1½ ounces (42.5 grams) of marijuana (possessing lesser quantities of marijuana is either a misdemeanor or petty misdemeanor).

FELONY DWI'S AND CRIMINAL VEHICULAR HOMICIDE

Beginning August 1, 2002, it became a **felony to drive under the influence** of alcohol or other controlled substances (DWI) if you have previously been convicted of DWI at least three times within the last 10 years. Felony DWI's are prosecuted by the County Attorney. This change in the law resulted in **114** felony DWI charges filed in 2004 in Dakota County against **75** defendants. Backstrom said his Office coordinates activities of the Safe Dakota Coalition, made up of all Dakota County law enforcement agencies and area high schools, in an effort to reduce alcohol-related crashes. *Backstrom commented: "Drunk driving kills or cripples more persons each year than any other crime in America. We must continue to dedicate resources to raise the level of awareness of these dangers in our efforts to prevent these tragedies."* In 2002 (the most

recent year for which statistics are currently available), 6 persons were killed and 206 persons were injured in alcohol-related car crashes in Dakota County. The most significant drunk driving tragedy to occur in Dakota County in 2004 took the lives of three brothers, Matthew, Jacob and Justin Backstrom (no relation to the County Attorney). Boe Barlage, age 22, has been charged (January 2005) with six counts of criminal vehicular homicide in this incident.

FELONY CRIMES OF VIOLENCE

Backstrom indicated that while the overall number of felony charges in Dakota County decreased slightly in 2004, felony charges involving crimes of violence^{iv} increased significantly last year. **408** adults were charged with violent felonies in 2004 (an all-time high compared to 348 in 2003). This represents an increase of 17% from 2003 and is 22% higher than the average over the last ten years. The ten-year average for violent crimes charged (1995-2004) in Dakota County was 335 (see the attached chart). *Backstrom stated: "It is cause for concern that prosecutions for violent crime are on the rise in Dakota County. One good note in this regard, however, is that the number of violent crimes prosecuted in Dakota County has grown at a slower pace than the county's population over the last 10 years. Another important point to keep in mind is that our violent crime rate is statistically quite low for the size of our community. Dakota County remains a safe community in which to live."*

HOMICIDES

Backstrom indicated that 15 defendants were charged with **homicide or attempted homicide** in Dakota County last year, an all time record in Dakota County. Backstrom noted, however, that these charges represent 6 actual homicides and 2 attempted homicide victims. *Backstrom commented: "Dakota County has averaged less than 3 homicides per year over the last 15 years. Homicide prosecutions take up significant staff resources, however, and consequently we were quite busy with these cases last year. At one point, three first degree murder trials were going on simultaneously, something which has never occurred before in Dakota County."* Of the 15 defendants charged with murder or attempted murder last year, 8 have been convicted, 1 was acquitted and 6 have court cases still pending.

Attached is a chart detailing felony level charges filed by the Dakota County Attorney's Office in 2004. Also attached are other charts comparing statistical information concerning adult felony prosecutions for the last decade. This information is also available on the Dakota County Attorney website at www.co.dakota.mn.us/attorney/what'snew.

If you have any questions, contact James Backstrom at 651-438-4440.

ⁱ Criminal charges are not evidence of guilt. A defendant is presumed innocent unless and until proven guilty.

ⁱⁱ An individual may be charged with more than one felony offense in one behavioral incident.

ⁱⁱⁱ Felony property offenses include: forgery-related offenses, theft-related offenses, burglary, welfare fraud, criminal damage to property, stolen property, unemployment/worker's compensation/tax fraud, and illegal motor vehicle use.

^{iv} Felony crimes of violence include: homicide, attempted homicide, assault, offenses involving dangerous weapons, kidnapping, robbery, sex offenses and terroristic threats.

2004 ADULT FELONY OFFENSES

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| OFFICE OF DAKOTA COUNTY ATTORNEY JAMES C. BACKSTROM COUNTY ATTORNEY 1560 HIGHWAY 55 HASTINGS, MN 55033-2392 651-438-4438 | Drug Related * | Theft Related | Forgery Related | Burglary | Welfare Fraud | Felony DWI | Sex Related | Assault Related | Terroristic Threats | Criminal Damage to Property | Stolen Property | Fugitive From Justice | Traffic Related (Including Fleeing) | Possession or Use of Dangerous Weapons | Stalking Related | Homicide (Including Attempts) **/*** | Robbery | Obstructing Justice | Public Health and Safety | Unemployment & Workers Comp Fraud/Tax Related | Criminal Vehicular Homicide and Operation | Kidnapping | Illegal Motor Vehicle Use **** | Abuse/Neglect of Minor | Arson | Gambling Related | Depriving of Custodial Rights/Support | Tampering With a Witness | Perjury Related | TOTAL CHARGES ** | TOTAL DEFENDANTS | |
|---|----------------|---------------|-----------------|----------|---------------|------------|-------------|-----------------|---------------------|-----------------------------|-----------------|-----------------------|-------------------------------------|--|------------------|--------------------------------------|---------|---------------------|--------------------------|---|---|------------|--------------------------------|------------------------|-------|------------------|---------------------------------------|--------------------------|-----------------|------------------|------------------|-----|
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Apple Valley | 55 | 54 | 28 | 9 | 0 | 15 | 11 | 8 | 9 | 3 | 7 | 4 | 4 | 5 | 5 | 4 | 0 | 5 | 2 | 2 | 8 | 2 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 242 | 159 |
| Burnsville | 142 | 84 | 31 | 18 | 0 | 16 | 9 | 16 | 11 | 7 | 14 | 12 | 4 | 12 | 8 | 2 | 3 | 3 | 4 | 2 | 0 | 3 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 402 | 302 |
| Dakota County Sheriff | 61 | 14 | 9 | 5 | 155 | 14 | 3 | 2 | 1 | 2 | 3 | 18 | 8 | 3 | 0 | 0 | 1 | 3 | 0 | 6 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 310 | 196 |
| Eagan | 104 | 57 | 43 | 42 | 0 | 16 | 9 | 9 | 18 | 15 | 11 | 5 | 6 | 14 | 12 | 7 | 3 | 2 | 8 | 0 | 4 | 1 | 0 | 1 | 0 | 0 | 0 | 2 | 1 | 390 | 274 | |
| Farmington | 32 | 8 | 2 | 13 | 0 | 10 | 1 | 3 | 2 | 1 | 0 | 2 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 2 | 1 | 0 | 0 | 0 | 81 | 57 | |
| Hastings | 41 | 11 | 17 | 16 | 0 | 3 | 11 | 12 | 2 | 10 | 2 | 3 | 2 | 0 | 5 | 0 | 3 | 0 | 2 | 0 | 2 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 144 | 103 | |
| Inver Grove Heights | 88 | 43 | 19 | 7 | 0 | 5 | 3 | 5 | 3 | 11 | 5 | 4 | 4 | 2 | 1 | 1 | 1 | 3 | 2 | 0 | 1 | 0 | 1 | 0 | 2 | 0 | 0 | 0 | 0 | 211 | 158 | |
| Lakeville | 92 | 29 | 15 | 29 | 0 | 9 | 14 | 8 | 8 | 10 | 7 | 2 | 5 | 2 | 1 | 0 | 1 | 1 | 1 | 0 | 4 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 239 | 173 | |
| Mendota Heights | 7 | 7 | 1 | 6 | 0 | 3 | 0 | 2 | 2 | 3 | 1 | 2 | 3 | 0 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 39 | 30 | |
| Minnesota State Patrol | 11 | 0 | 0 | 0 | 0 | 6 | 0 | 1 | 2 | 3 | 0 | 2 | 9 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 34 | 30 | |
| Other Law Enforcement | 19 | 1 | 15 | 0 | 0 | 0 | 3 | 0 | 0 | 1 | 0 | 0 | 2 | 0 | 2 | 0 | 0 | 0 | 0 | 14 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 58 | 36 | |
| Rosemount | 29 | 10 | 5 | 14 | 0 | 5 | 5 | 2 | 0 | 2 | 2 | 0 | 1 | 3 | 1 | 0 | 2 | 0 | 2 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 86 | 54 | |
| South St. Paul | 88 | 28 | 12 | 10 | 0 | 5 | 18 | 16 | 11 | 5 | 10 | 5 | 6 | 4 | 5 | 17 | 4 | 4 | 2 | 0 | 0 | 8 | 0 | 1 | 0 | 0 | 2 | 0 | 0 | 261 | 161 | |
| West St. Paul | 55 | 23 | 29 | 8 | 0 | 7 | 12 | 10 | 13 | 4 | 5 | 3 | 3 | 3 | 3 | 12 | 9 | 3 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 204 | 133 | |
| TOTAL | 824 | 369 | 226 | 177 | 155 | 114 | 99 | 94 | 82 | 77 | 67 | 62 | 60 | 48 | 44 | 43 | 27 | 25 | 24 | 24 | 22 | 15 | 6 | 5 | 5 | 2 | 2 | 2 | 1 | 2701 | 1866 | |

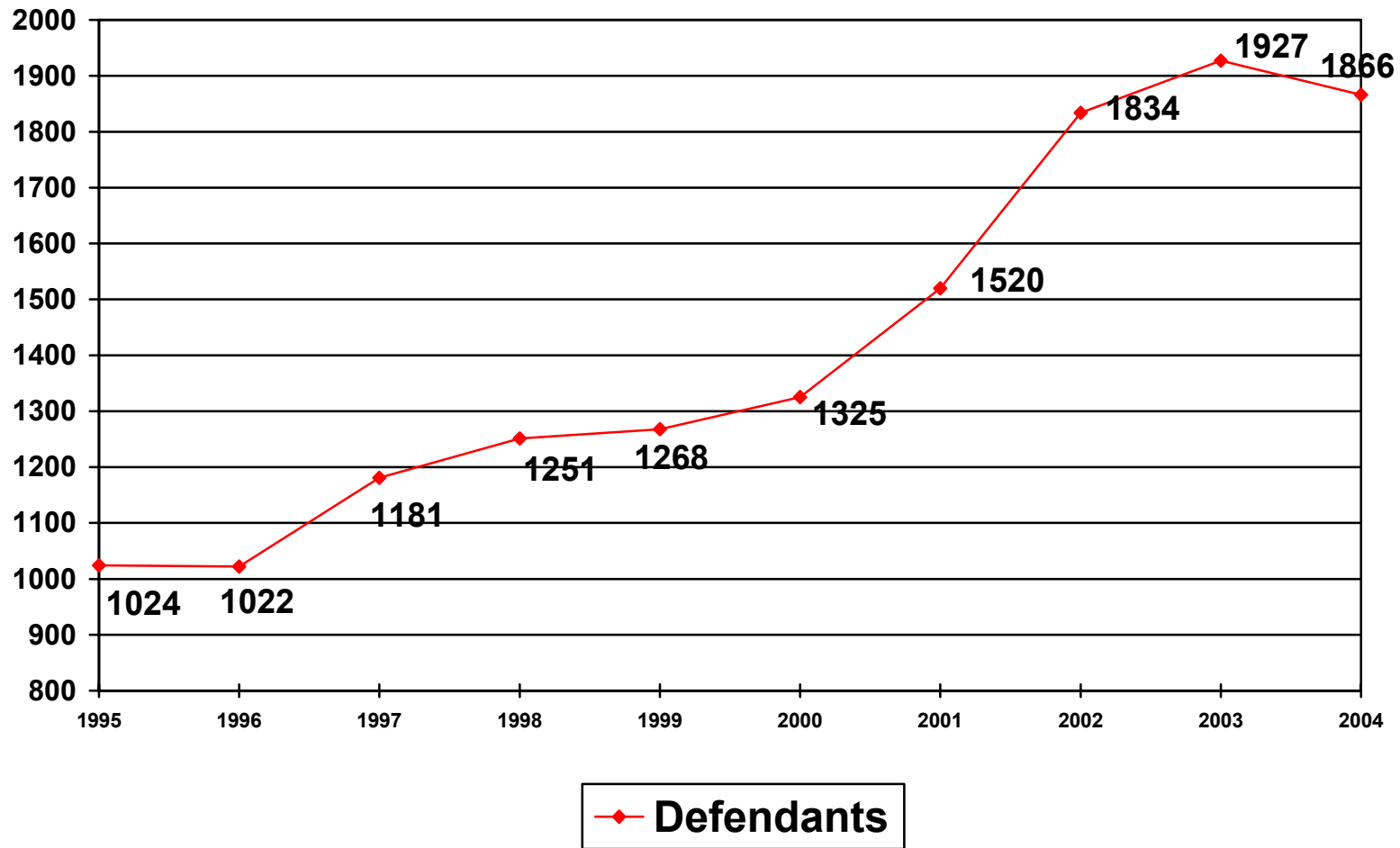
* Drug-related statistics are reported under the city in which the offense occurred. The Drug Task Force includes representatives from the Apple Valley, Burnsville, Eagan, Farmington, Hastings, Inver Grove Heights, Lakeville, Mendota Heights, Rosemount, Savage, South St. Paul, and West St. Paul Police Departments, and the Dakota County Sheriff's Office.

** Numbers in all categories include charges of attempts to commit the crime.

*** Homicide numbers (including attempted homicide) reflect charges against 15 defendants, involving 8 victims.

****Illegal motor vehicle use is also charged as Theft-Related and Stolen Property.

Dakota County
Adult Felony Prosecution Levels
1995 to 2004



Compiled by: James C. Backstrom, Dakota County Attorney

Dakota County Violent Crime Charges Involving Adult Defendants

| CRIME | TEN YEAR AVERAGE 1995 – 2004 | 2001 | 2002 | 2003 | 2004 |
|-------------------------------|------------------------------------|----------------|----------------|----------------|-----------------|
| MURDER ¹ | Figures Not Available | 3 ³ | 3 ⁴ | 3 ⁵ | 11 ⁶ |
| ATTEMPTED MURDER ¹ | Figures Not Available | 0 | 1 | 0 | 4 |
| | | | | | |
| KIDNAPPING | 11 | 16 | 14 | 11 | 15 |
| SEX RELATED | 87 | 89 | 102 | 93 | 99 |
| ROBBERY | 33 | 21 | 44 | 29 | 27 |
| FELONY ASSAULTS | 90 | 77 | 105 | 101 | 94 |
| TERRORISTIC THREATS | 67 | 73 | 86 | 73 | 82 |
| DANGEROUS WEAPONS | 27 | 29 | 41 | 36 | 48 |
| TOTAL ² : | 335 | 314 | 404 | 348 | 408 |

Compiled by:
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Dakota County Attorney

¹Murder and Attempted Murder figures, which also include manslaughter (if any), reflect the actual number of persons charged with these offenses. The remaining crimes listed are based upon the number of felony charges filed.

²The total represents the number of charges of individual counts of violent crime (including murder and attempted murder).

³There were three persons charged with homicide in 2001 in connection with two deaths.

⁴There were three persons charged with homicide in 2002 in connection with three deaths.

⁵There were three persons charged with homicide in 2003 in connection with three deaths, one that occurred in 2000.

⁶There were eleven persons charged with homicide in 2004 in connection with six deaths.

Dakota County
ADULT DRUG-RELATED PROSECUTIONS
1995-2004

Compiled by

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